

**AN ORDINANCE BY COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE**

05-0-0669

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE CHASTAIN PARK CONSERVANCY OF 75 MATURE TREES, COLLECTIVELY VALUED AT \$100,000, TO CREATE A TREE SCREEN AROUND THAT PORTION OF PATH LOCATED IN CHASTAIN PARK, AND AUTHORIZING THE EXPENDITURE OF \$35,000.00 FROM THE CHASTAIN PARK AMPHITHEATER TRUST FUND, FUND ACCOUNT AND CENTER NUMBER 3P02 (TRUST) 523001 (SERVICE/REPAIR/MAINTENANCE) N41S0613QNAO, FOR THE PURCHASE AND INSTALLATION OF NETTING CONNECTED TO THE TREE SCREEN AROUND PATH IN CHASTAIN PARK, SO AS TO PROTECT VISITORS AND PETS FROM STRAY GOLF BALLS; AND FOR OTHER PURPOSES.

WHEREAS, PATH goes through Chastain Park and is a widely used amenity by citizens of Atlanta; and

WHEREAS, the location of PATH at some points is close to the North Fulton Golf Course and stray golf balls have created a safety issue for PATH users; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs working in conjunction with the Chastain Park Conservancy organization and Cousins Properties Foundation Incorporated, have agreed on an initiative of planting trees and erecting netting between the trees to create a natural fence that screens and protects visitors and pets from stray golf balls; and

WHEREAS, the Chastain Park Conservancy organization has secured a donation of 75 mature trees with a collective value of \$100,000.00 from the Cousins Foundation; and

WHEREAS, the price of each Chastain Park Amphitheater concert ticket includes a \$2.00 surcharge, whereby the \$2.00 is deposited into the Chastain Park Amphitheater Fund. Monies in the Chastain Park Amphitheater Fund are dedicated for the repair and improvement of Chastain Park. The specific projects to be funded are determined by the City, at its discretion; and

WHEREAS, the Department of Parks, Recreation and Cultural Affairs has requested that the City pay \$35,000.00 from the Chastain Park Amphitheater Trust Fund for the netting connected to the 75 newly-planted trees around PATH.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: The Mayor or her designee, on behalf of the City, is hereby authorized to accept a donation of 75 mature trees valued collectively at \$100,000 ("Tree Screens"),

from the Chastain Park Conservancy to be planted in Chastain Park along that portion of PATH that proceeds through Chastain Park.

SECTION 2: The Mayor or her designee, on behalf of the City, is hereby authorized to utilize \$35,000.00 from the Chastain Park Trust Fund Account Number 3P02 (Trust) 523001 (Service/Repair/Maintenance) N41S0613QNAO Chastain Park Amphitheater, for the purchase and installation of netting connected to the Tree Screen, to protect PATH visitors and users from stray golf balls.

TRANSMITTAL FORM FOR LEGISLATION

TO MAYOR'S OFFICE: Gregory G. Pridgeon, Chief of Staff
(for review & distribution to Executive Management)

**Commissioner's
Signature:**

**Director's
Signature:**

From Originating Dept.: Parks, Recreation
and Cultural Affairs

Contact (Name): Jay W. Lowery
404-817-6744

Committee(s) of Purview: CD/HRC

Committee Deadline: 04-11-05

Committee Meeting Date(s): 04-26-05
05-10-05

Council Meeting Date(s): 05-02-05
05-16-05

CAPTION: AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE CHASTAIN PARK CONSERVANCY OF 75 MATURE TREES, COLLECTIVELY VALUED AT \$100,000.00, TO CREATE A TREE SCREEN AROUND THAT PORTION OF PATH LOCATED IN CHASTAIN PARK, AND AUTHORIZING THE EXPENDITURE OF \$35,000.00 FROM THE CHASTAIN PARK AMPHITHEATER TRUST FUND, FUND ACCOUNT AND CENTER NUMBER 3P02 (TRUST) 523001 (SERVICE/REPAIR/MAINTENANCE) N41S0613QNAO, FOR THE PURCHASE AND INSTALLATION OF NETTING CONNECTED TO THE TREE SCREEN AROUND PATH IN CHASTAIN PARK, SO AS TO PROTECT VISITORS AND PETS FROM STRAY GOLF BALLS; AND FOR OTHER PURPOSES.

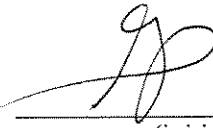
BACKGROUND/PURPOSE/DISCUSSION:

The City of Atlanta, Department of Parks, Recreation and Cultural Affairs has been offered a gift in the form of a donation of 75 Mature Trees from the Chastain Park Conservancy valued at \$100,000.00, to create a tree screen around that portion of PATH located in Chastain Park. This paper will also authorize the Commissioner of the Department of Parks, Recreation and Cultural Affairs to expend \$35,000.00 from the Chastain Park Amphitheater Trust Fund, Fund Account and Center Number 3P02 (TRUST) 523001 (Service/Repair/Maintenance) N41S0613QNAO, for the purchase and installation of netting connected to the tree screen around PATH in Chastain Park, so as to protect visitors and pets from stray golf balls.

Also, Cousins Properties Foundation Incorporated, in conjunction with the Department of Parks, Recreation and Cultural Affairs and the Chastain Park Conservancy organization have agreed on an initiative of planting trees and erecting netting between the trees to create a natural fence that screens and protects visitors and pets from stray golf balls. Cousins Foundation gave the Chastain Park Conservancy the donation of 75 Mature Trees with a collective value of \$100,000.00 that the City is accepting in this Ordinance from the Chastain Park Conservancy.

FINANCIAL IMPACT (if any): Yes, \$35,000.00 will be expended from the Chastain Park Amphitheater Trust Fund Account Number 3P02 (Trust) 523001 (Service/Repair/Maintenance) N41S0613QNAO.

MAYOR'S STAFF ONLY:

Received by Mayor's Office: _____ (date) Reviewed:  _____ (initials/date)

Submitted to Council: _____ (date)

Action by Committee: _____ Approved _____ Adversed _____ Held _____ Amended
_____ Substitute _____ Referred _____ Other

DPRCA FORM 90-2a

Legislative White Paper

Committee of Purview: Community Development/Human Resources Committee

Caption: AN ORDINANCE BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AUTHORIZING THE ACCEPTANCE OF A DONATION FROM THE CHASTAIN PARK CONSERVANCY OF 75 MATURE TREES, COLLECTIVELY VALUED AT \$100,000.00, TO CREATE A TREE SCREEN AROUND THAT PORTION OF PATH LOCATED IN CHASTAIN PARK, AND AUTHORIZING THE EXPENDITURE OF \$35,000.00 FROM THE CHASTAIN PARK AMPHITHEATER TRUST FUND, FUND ACCOUNT AND CENTER NUMBER 3P02 (TRUST) 523001 (SERVICE/REPAIR/MAINTENANCE) N41S0613QNAO, FOR THE PURCHASE AND INSTALLATION OF NETTING CONNECTED TO THE TREE SCREEN AROUND PATH IN CHASTAIN PARK, SO AS TO PROTECT VISITORS AND PETS FROM STRAY GOLF BALLS; AND FOR OTHER PURPOSES.

Council Meeting Date: May 16, 2005

Legislation Title: Ordinance

Requesting Dept.: Parks, Recreation and Cultural Affairs

Justification Statement: This Ordinance is being introduced to allow the Commissioner of the Department of Parks, Recreation and Cultural Affairs (DPRCA) to accept a donation of 75 Mature Trees valued at \$100,000.00 from the Chastain Park Conservancy, so as to create a tree screen around the PATH portion of Chastain Park located in the park near the golf course; and also to authorize the Commissioner of the DPRCA to expend \$35,000.000 from the Chastain Park Amphitheater Trust Fund for the purchase and installation of netting connected to the tree screen around the PATH in Chastain Park near the golf course to protect visitors and pets from stray golf balls from the golf course in the park.

Fund Account Center: 3P02 (TRUST) 523001 (SERVICE/REPAIR/MAINTENANCE)
N41S0613QNAO

Source of Funds: Chastain Park Amphitheater Trust Account

Fiscal Impact: \$35,000.00

Approvals:

DOF:-Chuck Meadows- March 17, 2005

DOL:- Robin Shahar- March 17, 2005

Prepared By: Robin Shahar and Debra F. Harris

Contact Number: Debra F. Harris- 404-817-6795; Robin Shahar- 404-330-6400

CITY OF ATLANTA BOARD OF ETHICS
GIFT REPORT

PART ONE: IDENTIFYING INFORMATION

- (1) Name City of Atlanta, Department of Parks, Recreation and Cultural Affairs
- (2) Address 675 Ponce De Leon Avenue, N.E., Suite 800
- (3) City Atlanta State Georgia Zip 30308
- (4) Telephone Number 404-817-6788
- (5) City title or position Commissioner
- (6) City agency or department Bureau of Parks

PART TWO: GIFTS TO CITY

List any gift that you have accepted on behalf of the City of Atlanta for addition to the city's inventory or general fund.

- (7) Name or type of gift Seventy-five (75) Mature Trees
- (8) Estimated value of gift \$100,000.00 (9) Date of receipt March 2005
- (10) Name of donor Chastain Park Conservancy
- (10) Purpose or reason for gift To create a Tree Screen in Chastain Park to protect

Visitors and Pets from stray golf balls around the PATH in this park.

Signature

Date

Return the completed form to:

City of Atlanta Board of Ethics
68 Mitchell Street, SW, Suite 3180
Atlanta, Georgia 30303
Telephone: (404) 330-6286
Fax: (404) 658-7720
E-mail: ethicsofficer@atlantaga.gov



March 29, 2005

To Whom It May Concern:

This letter is to inform you that the Chastain Park Conservancy has received a gift of approximately 79 trees from Cousins Properties. The trees are being planted along the path that surrounds the golf course in an effort to protect path patrons from errant golf balls.

The Chastain Park Conservancy accepts this gift with gratitude and in turn gives the trees to the City of Atlanta for the benefit of the citizens of Atlanta.

Sincerely,

Ray Mock
Director of Operations
Chastain Park Conservancy